PTO/SB/26 (08-03)

Approved for use through 07/31/2006.
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control fumber.

## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING

Docket Number (Optional)

		REJECTION OVER A PRIOR P	ATENT	18/5.3980001/RES/GSB					
•	In re Application of:	TURNER et al.							
• •	Application No.:	10/750,835							
	Filed:	January 5, 2004							
1	For: Hacker-Proof (	One Time Programmable Memory							
	disclaims, except as which would extend shortened by any ter so granted on the ins	*, <u>Broadcom Corporation</u> , of <u>provided below</u> , the terminal part of the beyond the expiration date of the full s minal disclaimer, of prior Patent No(s). stant application shall be enforceable on his agreement runs with any patent granigns.	statutory term of any patent granted tatutory term defined in 35 U.S.C. 6,707,696 . The owner here nly for and during such period that	d on the instant application, 154 and 173, as presently eby agrees that any patent it and the prior patent(s) ar					
	In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 prior patent(s), as presently shortened by any terminal disclaimer, in the event that it later: expires for failure maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reiss is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any tidisclaimer.								
	Check either box 1 or 2 below, if appropriate.								
	For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.								
ŧ	information and belie false statements and	at all statements made on the knowledge that willful Section 1001 of Title 18 of application or any patent							
	2. X The undersi	gned is an attorney or agent of record.		8/5/04					
08/06/200	SZEWDIE1 00000056 10	750835	Vsignature	Date					
01 FC:181	ì	110.00 OP	George S. Bardmesser,	Reg. No. 44 020					
			Typed or print						
	(202) 371-260								
	Telephone Number  X Terminal disclaimer fee under 37 CFR 1 20(d) included								
		ner fee under 37 CFR 1.20(d) included.							
	WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.								

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Form PTO/SB/96 may be used for making this certification. See MPEP § 324.



Robert Greene Sterne Edward J. Kessler Jorge A. Goldstein David K.S. Cornwell Robert W. Esmond Tracy-Gene G. Durkin Michael B. Ray Robert E. Sokohl Fric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert Linda E. Alcorn Robert C. Millonig Lawrence B. Bugaisky Donald J. Featherstone Michael V. Messinger Judith U. Kim Timothy J. Shea, Jr. Patrick E. Garrett Heidi L. Kraus Edward W. Yee Albert L. Ferro\* Donald R. Banowit Peter A. Jackman Teresa U. Medier Jeffrey S. Weaver Kendrick P. Patterson Vincent L. Capuano Eldora Ellison Floyd Thomas C. Fiala Brian J. Del Buono Virgil Lee Beaston Kimberly N. Reddick Theodore A. Wood Elizabeth J. Haanes Joseph S. Ostroff Frank R. Cottingham Christine M. Lhulier Rae Lynn Prengaman Jane Shershenovich\* Lawrence J. Carroll\* George S. Bardmesser Daniel A. Klein\* Jason D. Eisenberg Michael D. Specht Andrea J. Kamage Tracy L. Muller\* LuAnne M. DeSantis John J. Figueroa Ann E. Summerfield Tiera S. Coston\* Aric W. Ledford\* Michael D. Specht Jessica L. Parezo Timothy A. Doyle\* Cynthia M. Bouchez Nicole D. Dretar\* Ted J. Ebersole

Registered Patent Agents -Karen R. Markowic Nancy J. Lieth Helene C. Carlson Gaby L. Longsworth Matthew J. Dowd Aaron L. Schwartz Mary B. Tung Katnina Y. Pei Quach Bryan L. Skelton Robert A. Schwartzman Teresa A. Colella Jeffrey S. Lundgren Victoria S. Rutherford Eric D. Hayes Michelle K. Holoubek Robert H. DeSelms Simon J. Elliott Julie A. Heider Mita Mukerjee Scott M. Woodhouse Of Counsel Kenneth C. Bass III Evan R. Smith Marvin C. Guthrie \*Admitted only in Maryland \*Admitted only in Virginia •Practice Limited to Federal Agencies

August 5, 2004

WRITER'S DIRECT NUMBER: (202) 772-8782 INTERNET ADDRESS: GBARDMES@SKGF.COM

Art Unit 2824

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No.: 10/750,835; Filed: January 5, 2004

r: Hacker-Proof One Time Programmable Memory

Inventors: TURNER et al.

Our Ref: 1875.3980001/RES/GSB

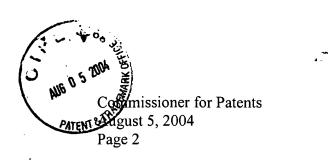
Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Fee Transmittal Form PTO/SB/17;
- 2. Reply Under 37 C.F.R. § 1.111;
- 3. Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent (PTO/SB/26);
- 4. PTO-2038 Credit Card Payment Form for \$110.00 to cover Terminal Disclaimer fee; and
- 5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox P.L.L.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skqf.com



The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

George S. Bardmesser Attorney for Applicants Registration No. 44,020

RES/GSB:krh Enclosures

295914v1

Sterne, Kessler, Goldstein & Fox PLL.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

J W	PTO/SB/17 (10-03) Approved for use through 07/31/2006. OMB 0651-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.									
	FEE TRANSMITTAL	Complete if Known								
	FEE IRANSIMITIAL	Application Number	10/750,835							
	for FY 2004	Filing Date	January 5, 2004							
-	Effective 10/01/2003. Patent fees are subject to annual revision.	First Named Inventor	Tony M. TURNER							

**Examiner Name** 

Art Unit

NGUYEN, Hien N

( - 0 - 0 )

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 110.00						Attorr	ey Do	cket N	No.	1875.3980	001/RES/	GSB		
METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)									
Check X Credit card Money X Other** None					3. ADDITIONAL FEES									
*Charge any deficiencies or credit any overpayments in Deposit Account: the fees to Deposit Acct. No. 19-0036.					Large Entity   Small Entity								1	
Deposit	Account:	the	•	Acct, No. 1	<u>9-003</u> 6.	Fee Code	Fee (\$)	Fee Code	Fee (\$)		Fee De	escription	1	See Baid
Account Number	<u> </u>		19-0036			1051	130	2051	65	Surch	arge - late fi	ling fee or o	oath	Fee Paid
Deposit Account	posit				1052	50	2052	25		arge - late p sheet				
Name						1053	130	1053	130		English speci	fication		
The Director is authorized to: (check all that apply)  Charge fee(s) indicated below  Credit any overpayments						1812	2,520	1812	2,520	For filing a request for ex parte reexamination				
Charge any additional fee(s) or any underpayment of fee(s)						1804	920*	1804	920*	Reque Exami				
Charge fee(s) indicated below, except for the filing fee						1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action				
to the above-identified deposit account.						1251	110	2251	55	_		v within fire	et month	
			ALCULATION			1252	420	2252	210	Extension for reply within first month  Extension for reply within second month				
1. BASIC FI						1252	950	2252	475		nsion for repl	•		
Large Entity S Fee Fee	Fee Fee		Fee Description	Fe	e Paid	1254		2254	740		ision for repl	•		
	Code (\$)					1255		2255			ision for repl	-		
	2001 38		Utility filing fee								·	y within int	ii monui	
	2002 17	-	Design filing fee			1401	330	2401	165		e of Appeal			
	2003 26	-	Plant filing fee			1402	330	2402		•	a brief in su	• •	appeal	
	2004 38		Reissue filing fee	_		1403	290	2403		·				
1005 160	2005 8	0	Provisional filing	fee		1451		1451				-	se proceeding	
SUBTOTAL (1) (\$)						1452	110	2452	55	Petitic	on to revive -	- unavoidat	ole	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE						1453		2453	665	Petitio	on to revive	- unintentio	nal	
				Fee from	Fee Paid	1501		2501	665	•	issue fee (o	r reissue)		<b>[</b>
Total Claims		- 20	Extra Claims	below	ree Palu	1502	480	2502	240	•	n issue fee			
Independent			X	T,		1503	640	2503	320		issue fee			
Claims Multiple Deper	ndent	- 3		▝		1460	130	1460	130		ons to the C			<del></del>
Large Entity	Small E	neier	_			1807	50	1807	50		essing fee ur		` ''	
Fee Fee	Fee	Fee	Fee Descript	ion		1806	180	1806	180				sclosure Stmt	I
Code (\$)	Code		01-11	( 00		8021	40	8021	40	prope	rding each party (times nu	atent assigi imber of pr	nment per operties)	
1202 18 1201 86	2202 2201	9 43	Claims in exces Independent cla		ss of 3	1809	770	2809	385	5 Filing a submission after final rejection (37 CFR 1.129(a))				
1203 290	2203	145	Multiple depend			1810	770	2810	385		ach addition	•	to be	
1204 86	2204	43	** Reissue inder	pendent cla		1801	770	2801		exam	ined (37 CF)	R 1.129(b))	1	
1205 18	2205	9	** Reissue claim	ns in excess	of 20	1802	900	1802	385 900	Requ	est for expe	dited exam	nination (RCE) ination	
and over original patent						of a design application							110.00	
SUBTOTAL (2) (\$)												110.00		
**or number previously paid, if greater, For Reissues, see above						Redu	ceu by	Dasic F	mig F	ee rak	u SU	BTOTAL	(3) ( <u>(\$)</u>	110.00
SUBMITTED BY										((	Complete (ii	fapplicable)) .		
Name (Print/Type)  George S. Bardmesser						egistrat ttorney/			44,0	20 7	elephone	(202) 371	-2600	
Signature Segretary					1 1/	MOLLICY/	14611()		77,0		Pate	8/5/04		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.